

Introduced by Senator Morrow

February 22, 2005

An act to amend Section 46010.1 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

SB 753, as amended, Morrow. Pupils: confidential medical services: parental notification.

(1) Existing law authorizes a minor to obtain various medical, dental, mental health, and counseling services without the consent of his or her parent or guardian and requires the governing board of a school district to notify pupils and the parents or guardians of those pupils that school authorities may excuse a pupil from school to obtain confidential medical services without that consent. Existing law authorizes a school district to include that notice with any other notice made to a parent or guardian of a pupil pursuant to existing law.

This bill would require a school district to send that notice separately, as specified, thus imposing a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 46010.1 of the Education Code is
2 amended to read:

3 46010.1. (a) The governing board of a school district shall,
4 each academic year, notify pupils in grades 7 to 12, inclusive,
5 and the parents or guardians of pupils enrolled in the school
6 district, that school authorities may excuse a pupil from the
7 school for the purpose of obtaining confidential medical services
8 without the consent of the parent or guardian of the pupil.

9 (b) The notice required pursuant to this section may be
10 included with any other notice given pursuant to this code if all
11 of the following requirements are satisfied:

12 (1) The notice shall be printed on a piece of paper separate
13 from any other notice or information. For purposes of this
14 paragraph, “separate” means that no other notice or information
15 may appear on the piece of paper other than the notice required
16 pursuant to this section.

17 (2) If the notice is included with any other notice in a
18 multinode packet, the piece of paper on which the notice
19 required pursuant to this section appears may be no smaller than
20 the largest piece of paper in the multinode packet.

21 (3) The notice shall be printed in a boldface font that is at least
22 12 point and centered on the piece of paper.

23 (c) *This section does not limit the authority of a school district*
24 *to permit a pupil to obtain confidential medical services during*
25 *the schoolday without the consent of the parent or guardian of*
26 *the pupil.*

27 SEC. 2. If the Commission on State Mandates determines that
28 this act contains costs mandated by the state, reimbursement to
29 local agencies and school districts for those costs shall be made
30 pursuant to Part 7 (commencing with Section 17500) of Division
31 4 of Title 2 of the Government Code.